

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

65MAR-2 AM 11:01

STEVE RENNICK, SR.

Movant/Defendant

vs

UNITED STATES OF AMERICA

Respondent

C-1-05-00050

CR-1-02-157-3

Hon. Susan J. Dlott

U.S. District Judge

MOTION TO SUPPLEMENT BY ADDENDUM

MOVANT'S MOTION TO VACATE, SET ASIDE

OR AMEND SENTENCE PURSUANT TO 28 USC § 2255

Comes the defendant, Steve Rennick, Sr., pro se, and moves this court for leave to file the Addendum to defendant's motion pursuant to 28 USC § 2255 and in support does state as follows:

On January 26, 2005, defendant filed his timely petition pursuant to 28 USC § 2255. The defendant filed on this date because at that time he believed his one year time deadline was expiring to file said motion on January 28, 2005. At the time of the mailing the defendant had not received a copy of the court's response on his request to reinstate his right of direct appeal.

Subsequent to the filing the defendant received an order from the court concerning the defendant's Appellate Rights. The

court's order had apparently been lost within the prison's mail service and as the order bears no date the defendant cannot determine when the order was handed down.

The court's order denied the defendant's request to reinstate appellate rights, but indicated the defendant could seek to have the sentence vacated and then reimposed for the purpose of preserving a timely appeal. The order further granted a 90-day extension to file the motion pursuant to 28 USC § 2255.

The defendant does herein seek to supplement his petition to include these and related issues. The defendant states this addendum is for the interests of justice only and not to harass or prejudice any party.

The defendant has just received the Respondent's Request for an extension to respond. Inasmuch as this indicates the respondent is still crafting his response the defendant asserts that this Addendum will not prejudice Respondent in any manner. The defendant further states that in the event that this Addendum requires additional for the Respondent to reply, the defendant will not oppose an additional continuance.

Finally, the defendant avers that this Addendum is necessary to provide a remedy for the oversight of this court's Clerk which prejudiced the defendant by denying his right to a direct appeal. The prejudice is significant to the extent that several of the defendant's issues are more appropriately reviewed by the Appellate Court and clearly the court has directed the defendant to proceed

in this manner as no other remedy is available.

The defendant prays the court for leave to supplement defendant's motion pursuant to 28 USC § 2255 by filing the herewith enclosed Addendum. Further the defendant saith naught.

Respectfully submitted,

February 22, 2005


Steve M Rennick Sr.

Steve Rennick, Sr.
Defendant, Pro Se
#04050-032 HCU
Federal Medical Center
P.O. Box 14500
Lexington, KY 40512

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served this 22nd day of February 2005, by regular U.S. Mail on Robert Brickler, AUSA, 221 East 4th Street, Suite 400, Cincinnati, OH 45202.

February 22, 2005


Steve Rennick, Sr.
Defendant, Pro Se